



SECOND SUPPLEMENTAL RECORD OF DECISION

**Disposal of Portions of the
Former Homestead Air Force
Base, Florida**

January 15, 2001

Second Supplemental Record of Decision

Disposal of Portions of the Former Homestead Air Force Base, Florida

I. Introduction

This Second Supplemental Record of Decision (ROD) supplements the ROD dated October 26, 1994, and the Supplemental Record of Decision dated February 20, 1998. This ROD addresses additional matters and revisits previous decisions. Except to the extent set forth below, however, the Air Force's previous RODs are not modified and are incorporated by reference.

Background

In January 1994 the Air Force issued a Final Environmental Impact Statement (EIS) on the disposal of the former Homestead Air Force Base (AFB). In October 1994 the Air Force decided to make over 1800 acres of surplus property available to Dade County, Florida (now Miami-Dade County), for use as a public airport.¹ Miami-Dade County formally applied for the Homestead property for a commercial airport in December 1996.

In December 1997 the Air Force and the Federal Aviation Administration (FAA) determined that the potential development of a commercial airport at the former Homestead AFB warranted further review and study and began preparation of a Supplemental Environmental Impact Statement (SEIS). Three other federal agencies have been cooperating agencies during the preparation of the SEIS: the National Park Service, the Fish and Wildlife Service, and the Environmental Protection Agency.

A Draft SEIS was published for public review and comment in December 1999. Public hearings were held in south Florida on February 1, 2, and 3, 2000, to receive comments on the Draft SEIS. The Air Force accepted written comments for a 60-day period from January 7 through March 7, 2000. During that time, more than 8,000 comments were submitted. The Final SEIS was published in December 2000.

Purpose and Need for Action

The underlying purpose for considering the County's proposal and the other alternatives analyzed in the SEIS is to fulfill the requirement of disposing of property determined to be excess to military needs. The Air Force previously had determined that approximately 1,632 acres of Homestead AFB were excess to its needs and surplus to the

¹ In February 1998 that decision was supplemented by reducing the acreage by approximately 213 acres in order to convey those acres to the County for park purposes.

needs of the federal government.² The Air Force has sought to dispose of this property in a manner that would support local community plans for economic revitalization of South Florida and protect Biscayne Bay and the nearby national parks. The Miami-Dade County proposal for a commercial airport was the Proposed Action that was analyzed in the SEIS.

Decisions to be Made

This ROD contains the Air Force's decisions about the following: who will receive the property, the methods of property transfer, and the major terms and conditions of the transfers.

Air Force Preferences

In the Final SEIS the Air Force identified several preferences. First, the Proposed Action and the Mixed Use alternatives were identified as being preferred to the Commercial Spaceport and the No Action alternatives. Second, disposal of property to Miami-Dade County, the local redevelopment authority (LRA) under the base closure laws, was also preferred over disposal to other parties.

The decisions made in this ROD reflect both preferences. One of the two preferred alternatives is being chosen—the Mixed Use alternative—and the opportunity to obtain and develop the surplus property for that purpose is being offered first to the LRA, Miami-Dade County.³

II. Brief Description of the Proposed Action and Alternatives

This information is excerpted from the Summary to the Final SEIS. The Summary and the rest of the Final SEIS contain considerably more detail.

Proposed Action

The Proposed Action was to transfer the remaining surplus property at former Homestead AFB, about 1,632 acres including the airfield, to Miami-Dade County for the development of a one-runway commercial airport. The surplus property proposed for transfer includes: 915 acres composed of the airfield and its runway; 327 acres expected to be used for aviation support activities; 339 acres were planned for airport-related and other industrial and commercial businesses; 24-acre area was identified for educational,

² Of the 1632 acres, the airfield and runway occupy about 915 acres. In addition to the 1632 acres, 30 acres have been expected to be retained for safety purposes, and 21 acres have been under consideration for transfer to the Miami-Dade County public schools. The disposition of those other parcels is also addressed in this Supplemental ROD.

³ As is explained more fully later, if the County is uninterested or unable to obtain the property for mixed use development, the property would then be transferred to the Department of the Interior for a land exchange leading to mixed use development. Were the Department of the Interior unable to execute such an exchange, the property then would be sold by public sale.

local government, or other institutional use; about 28 acres of open space would remain around Mystic Lake.⁴

The planned development also included roadway and access improvements and construction of new parking areas for employees, passengers, and customers.

The airport could have over 150,000 military, commercial, and general aviation air operations by 2015. At maximum use of the single runway, there could be about 231,000 air operations, with slightly over half estimated to be commercial passenger services.

The airport was estimated to generate about 27,500 jobs on and off-site by 2015 and about 38,500 jobs on and off-site by full buildout.

Potential earnings associated with reuse-related employment were estimated to reach \$799 million in 2015 and \$1,116 million by full buildout.

Commercial Spaceport

This alternative examined the possibility of using the former base for a spaceport for spacecraft that would launch and recover horizontally. The property that would be made available under this alternative was the same as for the commercial airport.

An estimate of 480 annual space operations was used in the analysis.

The spaceport was estimated to generate about 10,100 jobs on and off-site by 2015 and about 13,000 jobs on and off-site by full buildout.

Potential earnings associated with reuse-related employment were estimated to reach \$295 million in 2015 and \$381 million by full buildout.

Although proposals and expressions of interest were received by the Air Force, spacecraft that could be capable of using the runway are only now under development. In addition, the licensing process and the full range of safety and other requirements for commercial spacecraft are still being formulated by FAA. There was much environmental and economic uncertainty about a commercial spaceport. Additional analysis under the National Environmental Policy Act (NEPA) would be required as part of the FAA's licensing process.

Mixed Use

This alternative focused on non-aviation reuse. The Air Force would retain the airfield and runway for continued military and other government use, and Homestead Air Reserve Station would continue to operate with approximately 20,000 annual government aircraft operations. The other land could be disposed of in large parcels to a single public or private entity for economic development or incrementally in smaller parcels as latent

⁴ The numbers do not add up to 1,632 acres due to rounding errors.

market demands, economic opportunities, or future community needs emerged. Four scenarios of a Mixed Use alternative were addressed in the SEIS to capture the spectrum of potential uses and to be able to evaluate a range of potential environmental impacts. The four scenarios were Market-Driven development, the Collier-Hoover proposal, a separate plan submitted by the Collier Resources Company, and a separate plan submitted by the Hoover Environmental Group.⁵

For example, the Collier-Hoover proposal features two golf courses woven among commercial and industrial areas. The commercial areas include a world-class aquarium, three hotels, retail/dining establishments, and a water park. The Collier Resources Company proposes to buy the surplus land from the federal government by exchanging Collier oil and gas rights of equal value in the Big Cypress National Preserve.

The land use plan includes a 324 acre luxury RV park, 158 acres of commercial use, 142 acres of commercial/industrial use (research and development / office park), 59 acres of recreation, and 9 acres of open space.

The Collier-Hoover proposal is estimated to generate about 12,400 jobs on and off-site by 2015 and about 21,800 jobs on and off-site by full buildout.

Potential earnings associated with reuse-related employment are estimated to reach \$399 million in 2015 and \$641 million by full buildout.

No Action

This alternative involved no disposal and no reuse of the surplus property. The Air Force would retain and operate the airfield and runway, and the remainder of the surplus property would be put in caretaker status. Homestead Air Reserve Station would continue to operate with approximately 20,000 annual government aircraft operations. All uses on land previously conveyed from the former base would also continue.

Variations

In addition to considering the four main alternatives summarized above, and in addition to considering the independent land use concepts that were also evaluated in the SEIS, the Air Force also considered several possible variations of the alternatives. One possibility that was considered consisted of retaining the airfield property, transferring the remaining surplus property to Miami-Dade County, and allowing limited commercial aviation use of the Air Force's retained airfield under a joint use agreement with the County. Another possibility involved transferring all of the property to Miami-Dade County for commercial airport use but imposing limitations intended to restrict the size (and effectively the number of operations) of the airport to a level no greater than that estimated in the SEIS to exist in the year 2015. These possibilities were variations on the

⁵ Mixed use development could be accomplished in several different ways. One possibility would be to grant the request by the Department of Interior (DOI) that the property be assigned to it for purposes of a land exchange. Another possibility would be for the Air Force to transfer the surplus property to Miami-Dade County for mixed use development.

disposal outcomes examined in the SEIS and did not involve any new potential uses or environmental impacts outside the range of those that were analyzed.

Environmentally Preferred Alternative

The Air Force is required by regulation to designate the alternative or alternatives that were considered to be environmentally preferable. The No Action alternative had the least potential for adverse environmental consequences and, for that reason, is considered to be the one that is environmentally preferable. The No Action alternative also had the least potential for economic redevelopment.

III. Decision

This has been a uniquely difficult decision for the Air Force. By far it has been the most contentious re-use decision the Air Force has faced in more than 30 base closures and realignments. It has featured multiple federal policies and has pitted compelling values—each of which have important claims—in a situation where it is not possible to meet fully all of the competing interests.

After considerable reflection and discussion within Air Force headquarters and with others within the federal government, and with Miami-Dade County and members of the public, and based upon information developed through the SEIS and decision making process, the Air Force has concluded that a balance should be struck that seeks to accommodate, but will not fully satisfy, all interests at stake. To that end, the Air Force concludes that the surplus property should not be conveyed for airport purposes.

The runway and taxiways will be retained by the Air Force. The surplus property that remains (about 717 acres) will be transferred for mixed use development. The Air Force first will offer to transfer the surplus property to the County for mixed use development consistent with this ROD. The Air Force believes this is an excellent candidate for a no-cost economic development conveyance and will encourage the County to pursue such a conveyance. If the County submits an application, the Air Force will expeditiously process it and, if the application meets the applicable requirements, the County will be given the conveyance. Should the County decline the property for that purpose, the Air Force then would assign the property to the DOI for the purpose of negotiating an exchange of the property for non-airport mixed use development in exchange for interests in land beneficial to lands under the jurisdiction of DOI, such as a mineral rights exchange benefiting the Big Cypress National Preserve.⁶ Should the property neither be transferred to the County nor exchanged by DOI for mixed use development consistent with this ROD, it then would be disposed of by public sale under the federal property management laws for use other than to support a commercial airport.⁷

⁶ The assignment of the property to DOI would be conducted in accordance with 32 C.F.R. Part 175, and the exchange by DOI would be conducted using DOI's existing statutory authority.

⁷ The specific details of this decision are identified in the next section. This ROD does not preclude the possibility that military aviation activities at Homestead Air Reserve Station may someday change. The

This decision, which includes a decision against conveying the property for airport purposes, is a reversal of the decision the Air Force made in 1994 and of expectations held by federal and local government officials ever since the base was destroyed by Hurricane Andrew. The Air Force does not take this action lightly, but we are firmly convinced that it is the right result. This decision strikes the proper balance between the federal interests in economic development in South Florida and the desire to protect to the greatest extent reasonable the national treasures represented in the two parks between which the air base is situated. It certainly does not give the LRA what it sought, but it strives to protect the LRA's interest by giving the County the first opportunity to accept the land and seek redevelopment and thereby stimulate economic development in Miami-Dade County. Moreover, offering the property to the County first reflects policy that LRAs be given a central role in the determination of how base closure property is to be reused.

At the start of the SEIS process, the Air Force announced that its goal was to support local plans for economic revitalization and to protect Biscayne Bay and the nearby national parks. At that time, the only "local plan" for economic development was the County's plan for a commercial airport. It was the Air Force's hope that those redevelopment plans and environmental concerns could be harmonized. In that respect, the Final SEIS stated the Air Force's view that the potential environmental impacts of an airport were not disqualifying, and that implementation of an airport would be consistent with economic development goals. We also had to consider that, for the Air Force, the development of a commercial airport on which the Reserve and Air Guard units could have been tenants rather than operators would have significantly reduced our costs. Finally, we are well aware of the importance of transferring the property as soon as possible, so that economic development of it can begin.⁸

This decision seeks to achieve a balance among a number of federal and local interests and goals. If the only possible means to economic development had been a commercial airport (with strong environmental protections), that fact may have been a significant factor in any decision. Over time, it became clear that a commercial airport is not the only way of achieving desired economic development of southern Miami-Dade County. The choice is no longer simply between an airport and economic stagnation. Interest by private developers, including the Collier-Hoover group, has changed the equation and convinced the Air Force that desired economic development, albeit less intense, can be achieved without an airport.

Special circumstances exist regarding the Homestead property. It is proximate to and located between two national parks. The parks are under assault from urbanization and other pressures. There is a huge national and state investment being made in

potential environmental impacts of any future proposal would be analyzed in accordance with NEPA and the extensive environmental analysis contained in the SEIS would be taken into account.

⁸ None of the possible property recipients are in a position to construct anything immediately. All must, to varying degrees, obtain additional local, state or federal approvals before redevelopment can begin. Continued federal ownership of the land is also an impediment to redevelopment.

protecting and restoring the south Florida ecosystem. These circumstances heighten the stakes for making sound environmental decisions related to Homestead and tip the balance in favor of the parks where it is possible to do so without abandoning other important goals. The SEIS informs us that a reasonable alternative exists in the form of mixed use development, that the environmental impacts from mixed use development would be less than those of a commercial airport, and that mixed use development is a more compatible land use for the parks. Given all of this, the Air Force will not allow the environmental impacts of a commercial airport in this unique location between two national parks when other viable alternatives for economic development and jobs exist. Indeed, the Air Force has determined that the development of a commercial airport at the former Homestead AFB in such close proximity to Biscayne and Everglades National Parks, when development alternatives with lesser impacts are available, poses unacceptable risks to these national resources. We also are aware that other federal agencies believe that a commercial airport would not be consistent with the purposes of the Comprehensive Everglades Restoration Plan, authorized by P.L. 106-541.

The Air Force does not doubt the conclusions of the Federal Aviation Administration and Miami-Dade County that additional aviation capacity will eventually be needed in South Florida. Nor do we doubt the economic value of a commercial airport to the County. We simply believe that Homestead's location makes achieving other federal priorities more difficult, and that our economic redevelopment goals can be met by alternative means. Under these circumstances, development of a commercial airport at the former Homestead AFB is inappropriate.

There are other federal policies at stake here. The base closure laws, including the regulations promulgated by the Department of Defense, strongly favor disposal of surplus federal property to LRA's and give great deference to the redevelopment plans of the local community. Though the applicable base closure laws do not dictate any particular outcome at Homestead, it is important to describe how the Air Force's decision relates to them and why, in this unique case, we cannot approve the re-use plan submitted by the LRA. This decision does not alter our belief that, apart from rare cases with facts like this one, local communities should be masters of their own destiny in planning the re-use of closed military facilities.

Given the need to strike the balance that is struck in this ROD, the Air Force's decision is as deferential to the LRA as possible. Although the property has been requested by DOI for its programs, we have decided that the surplus property will first be offered to the County for transfer. This means that the remaining surplus property, about 717 acres, can be transferred to the County for mixed use development. If the County does submit an application that meets requirements, it will be given an economic development conveyance (EDC). EDCs do not require the LRA to pay the federal government for the property. The County will be afforded time to consider whether it desires an EDC, and if so, the County will be given additional time as described below to complete an application. The Air Force will assist the County with this process to make it as expeditious as possible, and Air Force staff will work with the Defense Department Office of Economic Adjustment to secure funds for planning and other purposes. The Air Force will structure the transfer to encourage expeditious mixed use development.

Neither land banking nor commercial airport development nor use to support commercial airport development will be permitted. The Air Force, in consultation with interested federal agencies, will work with the County to ensure that its redevelopment plan is consistent with the SEIS and applicable federal laws.

If the County fails to express a desire to use the property for mixed use development or fails to obtain approval of its development plan consistent with this ROD, the Air Force will act expeditiously upon DOI's request that the property be assigned to DOI. In its application to the Air Force requesting the surplus property, DOI has described the value the Homestead property would have for its programs. Those are important purposes, but under DoD's regulations the application must be considered a late request, and the Air Force must consider the comments of the LRA and the time invested by the LRA in the planning process. Based upon the time invested by the LRA, we have determined that the property will first be offered to the County.⁹

Further, an assignment to DOI would be for the purpose of facilitating economic development by means of an exchange of interests in land acceptable to DOI, such as mineral rights in the Big Cypress National Preserve owned by the Collier Resources Company, a company that has joined with the Hoover Environmental Group in planning mixed use development at Homestead. The redevelopment plan prepared jointly by the Collier Resources Company and the Hoover Environmental Group provides for substantial jobs and economic activity. The positive economic impact is not as large as an airport would have been, but it is considerable,¹⁰ and the economic redevelopment can begin comparatively quickly. Because of the goal of economic development, it is important to the Air Force that any assignment to DOI not be open-ended but that it be for a transaction reasonably expected to result in development of the property.

IV. Implementation

The Air Force previously had determined that the airfield, runway, and other properties totaling approximately 1,632 acres were excess to Air Force needs and surplus to the federal government. This was based upon the expectation and previous Air Force decision that the property would be conveyed to the County for development as an airport and that, as a neighbor of a commercial facility, the Air Force would continue to have use of the runway. Federal and state flying missions remain at Homestead Air Reserve Station, and a functioning airfield capability must be preserved for their continued use.

⁹ By letter dated December 22, 2000, the County responded to DOI's request that the 717 acres be assigned to DOI. The County's response opposed the requested transfer and alleged a number of potential objections to it. The response also identified the substantial time and effort that the LRA has invested in the planning process. Because this decision does not grant the late request over the objection of the LRA, it is not necessary at this time to address the various objections raised by the County.

¹⁰ In fiscal year 1990, approximately 8,721 people were employed at Homestead AFB. In addition to direct employment at the base, it was estimated by the Air Force that base payroll expenditure and procurement supported 2,884 civilian jobs in the local economy. FSEIS, page 3.1-5. Were redevelopment by the Collier-Hoover group to occur, the SEIS estimates that by 2015 it could lead to approximately as many jobs as were associated with the former base, and potentially to even more jobs by full buildout.

Given the above decision against providing the property to the County for a commercial airport, the airfield and runway are no longer excess to the Air Force's needs. Therefore, the Air Force's previous determinations of excess and surplus are withdrawn in part to delete the 915 acres constituting the airfield and runway from the determinations of excess and surplus. The Air Force will retain the airfield and runway for continuing federal use.

The Air Force will provide Miami-Dade County 90 days to decide whether it desires to apply for an Economic Development Conveyance. If it decides to apply, another 180 days will be provided for the County to complete its application. An extension of the 180 days, not to exceed 60 days, will be granted if necessary. Once it receives the application, the Air Force will act expeditiously, and in any event within 90 days. The Air Force will assist the County with its application to the extent desired by the County. To encourage and ensure mixed use development, a conveyance to the County will retain rights of reversion to the federal government should the County not redevelop the property or should the County ever use the property for commercial airport purposes or to support a commercial airport.

Should the County decide against applying for an EDC, or should it not obtain approval within the time period specified above, the Air Force would then act upon the request by DOI that the excess 717 acres be assigned to DOI. Upon approval of the request, DOI would be provided 90 days to determine whether an exchange of interests in land or other fair market value consideration acceptable to DOI, such as mineral rights from the Collier Resources Company, is possible. If DOI determines that an exchange is possible, then DOI would be provided another 180 days to complete a binding land exchange agreement. An extension of the 180 days, not to exceed 60 days would be granted, if necessary. The assignment of property and exchange is intended both to provide mixed use economic redevelopment for surplus land at Homestead and to benefit DOI's programs.

Should DOI determine at any point that an exchange is not possible, the excess property would be reclaimed by the Air Force, which would then dispose of it by public sale pursuant to federal property management laws for use other than to support a commercial airport.

Mitigation Measures

Measures will be required of all property recipients. Measures suitable to a public sale will be determined at the time of sale. The mitigation measures that will be required of the County include: compliance with all applicable federal, state, and local laws and regulations and permitting requirements; a preservation covenant that protects the pine rocklands with Small's milkpea; surveys prior to construction on the property for the threatened eastern indigo snake; automatic reversion to the United States should the property be developed or used for commercial airport purposes or to support a commercial airport; reversion to the United States should redevelopment not begin expeditiously; and a plan to discourage the congregation of birds near the airfield. The mitigation measures that will be required of any development of the property pursuant to an exchange with DOI include compliance with all applicable federal, state, and local

laws and regulations and permitting requirements; a preservation covenant that protects the pine rocklands with Small's milkpea; surveys prior to construction on the property for the threatened eastern indigo snake; automatic reversion to the United States should the property be developed or used for commercial airport purposes or to support a commercial airport; and a plan to discourage the congregation of birds near the airfield. Redevelopment by either party also will require development of a stormwater management plan that integrates with the Air Force's retained facilities. The Air Force is receptive to developing a joint site-wide master stormwater management plan. Details of these measures will be addressed in the conveyance documents that will be developed.

In addition, the Air Force will encourage the County to include in its plan measures to control secondary development to mitigate the effects of base redevelopment and thereby ensure protection of the nearby national parks. Such measures could include a program for the acquisition of lands and interests in lands to serve as a buffer between the Homestead property and Biscayne National Park. DOI also should encourage any developer with whom it deals to assist in controlling related secondary development, perhaps through the acquisition of land and interests in lands to serve as a buffer between the Homestead property and Biscayne Bay. A buffer west of Biscayne National Park would promote the projects and initiatives of ecosystem restoration in south Florida, and both state and federal governments have possible funding mechanisms that could contribute to development of a buffer. In fact, the Comprehensive Everglades Restoration Plan, as authorized by P.L. 106-541, calls for purchase of some of the area between the Homestead property and Biscayne National Park. During discussions of the airport proposal, the County indicated a preference for focusing on existing acquisition priorities, such as its Environmentally Endangered Lands program, and implementing interim protective measures pending completion of the South Miami-Dade Watershed Planning Project and the County's Agricultural Study. Additional interim protective measures suggested by the County included increasing the requirement for amending the Urban Development Boundary (UDB) from two thirds to three fourths of the full membership of the Board of County Commissioners, and imposing the same requirement to approve any zoning for any use other than agriculture or residences on the minimum 5 acre lots outside the UDB. The federal government hopes to continue discussions with the County on possible ways of providing additional protection for the nearby lands west of Biscayne National Park.

School Transfer

In 1998 the U.S. Department of Education (DOE) requested that 21 acres be assigned to it to accomplish a no-cost public benefit conveyance for education purposes to the Miami-Dade County Public School Board. (These acres are additional to the 717 acres discussed previously.) The Air Force decided to defer making a decision about this proposed transfer until the Final SEIS had been completed.

If the Homestead property is transferred to the County, and if the County's plans provide for school use, then the additional 21 acres will be assigned to DOE for a public benefit conveyance to the Miami-Dade County public schools. This is consistent with Miami-Dade County's previous plans. Should plans change and the public schools no

longer want the property, the parcel would be included as part of the property transfer to the County.

If the County does not obtain the property and the property is assigned to DOI for a land exchange, the assignment to DOI will include the 21 acres previously proposed for school use.

Building 718

The 482nd Wing at Homestead needs to use Building 718, located on the surplus 717 acres, as a temporary facility to house the Wing's fire department during construction of new facilities. The Air Force will provide for the 482nd Wing's continued use of that building until January 31, 2002.

Interim Lease and Joint Use

The interim lease will be terminated at the appropriate time, either to support transfer to Miami-Dade County, as part of an assignment of excess property to DOI, or to permit a public sale.

The Air Force is receptive to a limited joint use agreement that continues to support special events and will negotiate such an agreement with the County should there be interest.

Other

This ROD reflects my entire decision and resolves all issues relating to Homestead that are now pending before the Air Force. If new issues arise, the Air Force will consider them.

Ruby B. DeMesme
Assistant Secretary of the Air Force
(Manpower, Reserve Affairs,
Installations, and Environment)